

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
EASTERN DIVISION

NO. 4:21-CR-115-FL

FILED IN OPEN COURT
ON 3-8-2022
Peter A. Moore, Jr., Clerk
US District Court
Eastern District of NC
JFA

UNITED STATES OF AMERICA)

v.)

PATRICK J. FEDAK)

) Superseding
) INDICTMENT
)
)

The Grand Jury charges:

COUNT ONE

Beginning in or about December 2017, and continuing to on or about December 3, 2019, in the Eastern District of North Carolina and elsewhere, the defendant, PATRICK J. FEDAK, did willfully and knowingly embezzle, purloin, and steal property of the United States, that is, various articles belonging to the United States military, of a value exceeding \$1,000.00, with intent to convert said property to his own use, in violation of Title 18, United States Code, Section 641.

COUNT TWO

On or about October 31, 2019, in the Eastern District of North Carolina and elsewhere, the defendant, PATRICK J. FEDAK, knowingly possessed stolen firearms, that is, five (5) P229R Sig Sauer pistols, five (5) P239 Sig Sauer pistols, and seven (7) Remington 870 shotguns, which had been shipped and transported in interstate commerce, knowing and having reasonable cause to believe the firearms were stolen, in violation of Title 18, United States Code, Sections 922(j) and 924(a)(2).

COUNT THREE

On or about February 9, 2022, in the Eastern District of North Carolina and elsewhere, the defendant, PATRICK J. FEDAK, did corruptly influence, obstruct and impede and endeavor to influence, obstruct and impede the due administration of justice by dismantling, separating, secreting, and burying items of evidence in regard to his theft and possession of stolen government property, to wit, firearms, falling within the "various articles" described in Count One and as specifically alleged in Count Two herein, in violation of Title 18, United States Code, Section 1503.

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FORFEITURE NOTICE

Notice is hereby given that all right, title and interest in the property described herein is subject to forfeiture.

Upon conviction of any offense charged herein constituting "specified unlawful activity" (as defined in 18 U.S.C. §§ 1956(c)(7) and 1961(1)), or a conspiracy to commit such offense, the defendant shall forfeit to the United States, pursuant to 18 U.S.C. § 981(a)(1)(C), as made applicable by 28 U.S.C. § 2461(c), any property, real or personal, which constitutes or is derived from proceeds traceable to the said offense.

Upon conviction of any violation of the Gun Control Act, the National Firearms Act, or any other offense charged herein that involved or was perpetrated in whole or in part by the use of firearms or ammunition, the defendant shall forfeit to the United States, pursuant to 18 U.S.C. § 924(d) and/or 26 U.S.C. § 5872, as made applicable by 28 U.S.C. § 2461(c), any and all firearms and ammunition that were involved in or used in a knowing or willful commission of the offense, or, pursuant to 18 U.S.C. § 3665, that were found in the possession or under the immediate control of the defendant at the time of arrest.

The forfeitable property includes, but is not limited to, the following:

Forfeiture Money Judgment:

a) A sum of money representing the gross proceeds of the offense(s) charged herein against PATRICK J. FEDAK, in the amount of at least \$586,371.79.

If any of the above-described forfeitable property, as a result of any act or omission of a defendant: cannot be located upon the exercise of due diligence; has

been transferred or sold to, or deposited with, a third party; has been placed beyond the jurisdiction of the court; has been substantially diminished in value; or has been commingled with other property which cannot be divided without difficulty; it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendant up to the value of the forfeitable property described above.

A TRUE BILL

REDACTED VERSION

Pursuant to the E-Government Act and the federal rules, the unredacted version of this document has been filed under seal.

FOREPERSON /

March 8, 2022

DATE

MICHAEL F. EASLEY, JR.
United States Attorney

Barbara D. Kocher
BY: BARBARA D. KOCHER
Assistant United States Attorney